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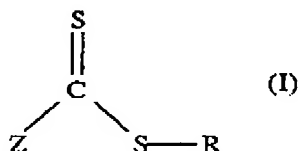
Remarks

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner.

Claims 1-7 were pending in the instant application at the time of the outstanding Office Action. Of these claims, Claims 2-7 have been withdrawn from the Office's consideration per Applicants' election with traverse in response to the restriction requirement by the Office Action dated October 25, 2005.

As required by the Office, Applicants provided a species/compound election as well as a group election. The compound elected is 3-chloro-2-butenyl 1H-pyrrole-1-carbodithioate. (Response 1/25/06) As indicated in the outstanding Office Action, based on the elected group and compound "[t]he invention for search and examination is: the products of the formula as depicted in claim 1 wherein: R is as found in claim 1 and Z is a substituted or unsubstituted pyrrole." (Office Action Pg. 3)

Instantly, Claim 1 stands objected to as containing non-elected subject matter and is also rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 1 and withdrawn Claim 2 have been amended to be directed toward the elected invention as set forth by the Office and to provide the use of "(I)" to designate formula (I). Claim 1 presently recites, "A compound of the formula (I),



where R is a halogen-substituted alkenyl radical, and where Z is a substituted or unsubstituted pyrrole." Since Claim 1 is directed to the elected subject matter and is definite, Applicant's respectfully request the withdrawal of the present objection and rejection. Applicants submit no new matter has been added by the present amendment. Support for the amendment can be found generally throughout the text. It

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should be noted this amendment is not in acquiescence of the Office's position on the allowability of the claims or the propriety of the restriction requirement, but merely made to expedite prosecution.

Applicants would like to finally note the Office's indication that its search of the subject matter of the presently claimed invention resulted in the "closest prior art" found being Harman et al., U.S. Patent No. 3,078,153, ("Harman"). Harman fails to expressly teach or suggest the presently claimed invention and, as correctly indicated by the Office, Harman fails to provide any motivation to prepare the instantly claimed invention since, as best understood, Harman relates to methods of destroying or controlling vegetation via herbicides.

In view of the foregoing, it is respectfully submitted that independent Claim 1 fully distinguishes over the "closest prior art" and is thus in immediate condition for allowance.

In addition, as the Examiner is aware, when an election directed to a product claim is made and subsequently the product is found to be allowable, a process claim that had been withdrawn and that depends from or otherwise includes the same limitations of the allowable product claim, the process claim is to be rejoined. Therefore, Applicants also respectfully submit that Claim 2 can now be properly rejoined and is also immediately allowable.


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In summary, it is respectfully submitted that the instant application, including Claims 1 and 2, is presently in condition for allowance. Notice to the effect is earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

By 

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